

This listing of claims will replace all prior versions, and listings of claims in the application.

**Listings of Claims:**

Claim 1 (Previously amended): A retail merchandising apparatus for use with a pallet stackable with merchandise items arranged in multiple layers thereon to form a loaded pallet, the retail merchandising apparatus comprising:

pallet support means for bearing the loaded pallet;

lifting means operatively connected to the pallet support means for moving the pallet support means between a lowered position and a raised position relative to a floor;

an open-topped housing accommodating the pallet support means and the lifting means mounted therein, the housing having a plurality of upstanding housing walls, with each of the housing walls having an inwardly directed housing face and an outwardly directed housing face; and

display means associated with the housing for placing a promotional message on at least one outwardly directed housing face within view of a customer;

wherein when bearing a loaded pallet, the pallet support means is positionable within the housing such that a portion of the merchandise items carried on the loaded pallet protrudes at least partially from the top of the housing within view of the customer.

Claim 2 (Original). The retail merchandising apparatus of claim 1 wherein the promotional message is selected from the group consisting of:

(a) product information; (b) pricing information; (c) promotional offers; and (d) product advertising.

Claim 3 (Previously cancelled).

Claim 4 (Previously cancelled).

Claim 5 (Previously amended): The retail merchandising apparatus of claim 1 wherein the at least one outwardly directed housing face is substantially planar.

Claim 6 (Previously amended): The retail merchandising apparatus of claim 1 wherein:

the plurality of upstanding housing walls comprises four housing walls;  
and

the at least one outwardly directed housing face comprises three outwardly directed housing faces, each respectively carrying the promotional message within view of the customer.

Claim 7 (Previously cancelled).

Claim 8 (Previously amended): The retail merchandising apparatus of claim 1 wherein:

the plurality of upstanding housing walls comprises four housing walls;  
and

the at least one outwardly directed housing face comprises four outwardly directed housing faces, each respectively carrying the promotional message within view of the customer.

Claim 9 (Original): The retail merchandising apparatus of claim 5 wherein the promotional message is embodied in a printed medium.

Claim 10 (Previously amended): The retail merchandising apparatus of claim 9 further including means for securing the printed medium to the outwardly directed housing face.

Claim 11 (Withdrawn – Previously amended): The retail merchandising apparatus of claim 10 wherein the printed medium is a magnetized film and the securing means includes the outwardly directed housing face being ferric to thereby magnetically secure the magnetized film thereto.

Claim 12 (Previously amended): The retail merchandising apparatus of claim 1 wherein the display means includes a first display panel mounted to at least one of the plurality of upstanding housing walls.

Claim 13 (Previously amended): The retail merchandising apparatus of claim 12 wherein the first display panel is selectively detachable from the at least one of the plurality of upstanding housing walls.

Claim 14 (Original): The retail merchandising apparatus of claim 12 wherein the promotional message is embodied in a printed medium.

Claim 15 (Original): The retail merchandising apparatus of claim 14 wherein the printed medium is interchangeable.

Claim 16 (Previously amended): The retail merchandising apparatus of claim 14 wherein the first display panel includes a frame member for fastening to the at least one of the plurality of upstanding housing walls, the frame member having a central cutout therein defining a station for receiving the printed medium therein.

Claim 17 (Original): The retail merchandising apparatus of claim 16 wherein the frame member has guide means for positioning the printed medium within the station.

Claim 18 (Previously amended): The retail merchandising apparatus of claim 17 wherein:

the printed medium is a poster; and  
the guide means includes a pair of spaced apart guide rail members for engaging opposed edges of the poster.

Claim 19 (Previously amended): The retail merchandising apparatus of claim 18 wherein each of the guide rail members has a slot defined therein to receive one of the opposed edges of the poster.

Claim 20 (Previously amended): The retail merchandising apparatus of claim 17 wherein:

the printed medium is a poster, the poster having contiguous edges defining a quadrilateral outline; and

the guide means include three rails for engaging three of the contiguous edges of the poster.

Claim 21 (Original): The retail merchandising apparatus of claim 15 wherein the printed medium is a poster.

Claim 22 (Original): The retail merchandising apparatus of claim 21 wherein the poster contains a holographic image imprinted thereon.

Claim 23 (Previously amended): The retail merchandising apparatus of claim 16 wherein the first display panel includes a protective exterior panel portion mounted in superimposed relation with the frame member, the exterior panel portion being sized to correspond generally to the frame member.

Claim 24 (Original): The retail merchandising apparatus of claim 23 wherein the exterior panel portion has substantially opaque margins extending about its periphery, the opaque margins co-operating with one another to define a central viewing window through which the printed medium may be seen.

Claim 25 (Previously amended): The retail merchandising apparatus of claim 24 wherein:

the exterior panel portion is hingedly connected to the frame member to allow the exterior panel portion to be moved between an open, non-viewing position and a closed, viewing position;

in the open, non-viewing position the station being accessible to permit a printed medium to be placed within the station and to be removed therefrom; and

in the closed, viewing position the printed medium being disposed in the station ready to be viewed by the customer through the viewing window.

Claim 26 (Original): The retail merchandising apparatus of claim 25 wherein the frame member is concealed by the opaque margins of the exterior panel portion when the exterior panel portion is in the closed viewing position.

Claim 27 (Previously amended): The retail merchandising apparatus of claim 26 wherein the first display panel further includes a closure member for maintaining the exterior panel portion in the closed, viewing position.

Claim 28 (Original): The retail merchandising apparatus of claim 27 wherein the closure member is a latch.

Claim 29 (Original): The retail merchandising apparatus of claim 27 wherein the closure member is a hook-and-eye closure member.

Claim 30 (Original): The retail merchandising apparatus of claim 27 wherein the closure member includes one of the opposing surfaces of the exterior panel portion and the frame member being magnetic and the other of the opposing surfaces thereof being ferric to thereby magnetically maintain the exterior panel portion in the closed, viewing position.

Claim 31 (Original): The retail merchandising apparatus of claim 23 wherein the exterior panel portion is fabricated from plexiglass.

Claim 32 (Previously amended): The retail merchandising apparatus of claim 12 wherein the first display panel is four-sided.

Claim 33 (Previously amended): The retail merchandising apparatus of claim 32 wherein the first display panel is substantially rectangular.

Claim 34 (Previously amended): The retail merchandising apparatus of claim 32 wherein the first display panel is substantially square.

Claim 35 (Withdrawn – Previously amended): The retail merchandising apparatus of claim 12 the first display panel is a first electronic display panel.

Claim 36 (Withdrawn): The retail merchandising apparatus of claim 35 wherein the promotional message is embodied in video format.

Claim 37 (Withdrawn – Previously amended): The retail merchandising apparatus of claim 36 wherein the first electronic display panel is chosen from the group consisting of: (a) an LCD screen; and (b) a plasma display screen.

Claim 38 (Withdrawn): The retail merchandising apparatus of claim 37 wherein the promotional message includes an audio component.

Claim 39 (Withdrawn – Previously amended): The retail merchandising apparatus of claim 35 wherein the first electronic display panel is interactive.

Claim 40 (Original): The retail merchandising apparatus of claim 1 wherein the display means includes a holographic projection device.

Claim 41 (Previously amended): The retail merchandising apparatus of claim 12 wherein:

the plurality of upstanding housing walls comprises four housing walls; the display means further includes a second display panel; and at least two of the housing walls have a respective one of the first display panel and the second display panel mounted thereto.

Claim 42 (Previously amended): The retail merchandising apparatus of claim 41 wherein the display means further includes a third display panel and a fourth display panel, and wherein each of the housing walls has a respective one of the first display panel, the second display panel, the third display panel, and the fourth display panel mounted thereon.

Claim 43 (Previously amended): The retail merchandising apparatus of claim 1 wherein the plurality of upstanding housing walls comprises at least four housing walls.

Claim 44 (Previously amended): The retail merchandising apparatus of claim 43 wherein the at least four housing walls comprise five housing walls.

Claim 45 (Previously cancelled).

Claim 46 (Previously cancelled).

Claim 47 (Previously amended): The retail merchandising apparatus of claim 1 wherein the plurality of upstanding housing walls comprises a front wall, a rear wall disposed opposite the front wall and a pair of opposed side walls; the front wall, the rear wall and the pair of side walls cooperating to form a four-sided enclosure.

Claim 48 (Original): The retail merchandising apparatus of claim 47 wherein when viewed in plan the housing has a shape selected from the group consisting of: (a) a rectangular shape; and (b) a square shape.

Claim 49 (Original): The retail merchandising apparatus of claim 47 wherein the front wall is hinged for movement to define an inlet door, the inlet door being moveable between an open position and a closed position; in the open position, the inlet door permitting access to the housing for placement of the loaded pallet therewithin and for removal of an empty pallet therefrom.

Claim 50 (Original): The retail merchandising apparatus of claim 49 further including locking means mounted to the inlet door operable to maintain the inlet door in the closed position.

Claim 51 (Original): The retail merchandising apparatus of claim 50 wherein the locking means includes a latch mechanism.

Claim 52 (Previously amended): The retail merchandising apparatus of claim 49, wherein the locking means comprises an electrically actuatable locking mechanism, and wherein the apparatus further includes control means associated with the housing for selectively actuating the lifting means, the control means being operable to electrically disable the electrically actuatable locking mechanism to maintain the inlet door in the closed position while the lifting means moves the pallet support means.

Claim 53 (Previously amended): The retail merchandising apparatus of claim 49 further comprising control means associated with the housing for selectively actuating the lifting means, the control means being operable to urge the lifting means to move the pallet support means only when the inlet door is in the closed position.

Claim 54 (Previously amended): The retail merchandising apparatus of claim 49 wherein when the pallet support means bears the loaded pallet and the inlet door is in the closed position, the housing walls surround the periphery of the pallet support means thereby substantially concealing the pallet and the pallet support means from the customer's view.

Claim 55 (Original): The retail merchandising apparatus of claim 49 further including ramp means associated with the pallet support means; the ramp means being deployable, when the pallet support means is moved to the lowered position and the inlet door is in the open position, to facilitate rolling transport of the loaded pallet onto the pallet support means.

Claim 56 (Original): The retail merchandising apparatus of claim 55 wherein:

the pallet support means has a substantially planar shelf;  
the lifting means is operatively attached to the shelf; and  
the ramp means includes a ramp member disposed in sliding relation with  
the shelf; the ramp member being selectively extendable between an out-of-use,  
stowage position and an in-use, loading position; in the loading position, the  
ramp member extending downwardly, and away from, the shelf in the direction  
of the floor to thereby permit a pallet truck carrying the loaded pallet to be rolled  
onto the shelf from the adjacent floor.

Claim 57 (Original): The retail merchandising apparatus of claim 56 wherein the ramp  
means further includes a slot defined between the shelf and the lifting means for  
locating the ramp member when in the stowage position.

Claim 58 (Previously amended): The retail merchandising apparatus of claim 57  
wherein the lifting means is a scissors lift.

Claim 59 (Original): The retail merchandising apparatus of claim 55 wherein the ramp  
means includes a bevelled lip attached to, and projecting from, an edge of the  
shelf to thereby permit a pallet truck carrying a loaded pallet to be rolled onto  
the shelf from the adjacent floor.

Claim 60 (Withdrawn): The retail merchandising apparatus of claim 43 wherein the  
rear wall has an inner panel and an outer panel; the inner panel being spaced

from the outer panel to define therebetween a compartment for locating the lifting means therein.

**Claim 61 (Withdrawn):** The retail merchandising apparatus of claim 60 wherein the lifting means includes hydraulic drive means.

**Claim 62 (Withdrawn):** The retail merchandising apparatus of claim 60 wherein the lifting means includes pneumatic drive means.

**Claim 63 (Withdrawn):** The retail merchandising apparatus of claim 60 wherein the lifting means includes mechanical drive means.

**Claim 64 (Withdrawn):** The retail merchandising apparatus of claim 63 wherein:  
the mechanical drive means includes a threaded screw member mounted vertically within the compartment, a nut member connected to the pallet support means for threadingly engaging the screw member, and an electric motor operatively connected to the screw member for rotatively driving the screw member;

whereby, when the screw member is driven by the electric motor the nut member is urged to ride along the screw member to thereby cause the pallet support member to be moved between the lowered position and the raised position.

**Claim 65 (Withdrawn):** The retail merchandising apparatus of claim 64 wherein the screw member and the nut member co-operatively form a leadscrew.

Claim 66 (Withdrawn): The retail merchandising apparatus of claim 64 wherein the screw member and the nut member co-operatively form a recirculating ball screw.

Claim 67 (Withdrawn): The retail merchandising apparatus of claim 64 wherein the mechanical drive means further includes means for discouraging back driving of the nut member.

Claim 68 (Withdrawn): The retail merchandising apparatus of claim 64 wherein the pallet support means is a substantially planar, cantilevered shelf.

Claim 69 (Withdrawn): The retail merchandising apparatus of claim 68 wherein the shelf includes at least one mounting arm extending through a slot defined in the inner panel to connect the shelf to the nut member.

Claim 70 (Withdrawn): The retail merchandising apparatus of claim 69 wherein the mechanical drive means includes guide means associated with the shelf and the housing for directing movement of the shelf within the housing.

Claim 71 (Withdrawn): The retail merchandising apparatus of claim 70 wherein the guide means includes at least one roller member connected to the shelf and a guide surface formed within the compartment, the roller member being mounted to extend into the compartment to rollingly engage the guide surface therewithin when the shelf is urged to move.

Claim 72 (Withdrawn – Previously amended): The retail merchandising apparatus of claim 1 wherein:

the pallet support means includes a substantially planar shelf having a plurality of sides, the plurality of sides each having an outermost edge, the outermost edge of each of the sides co-operating with one another to define a shelf footprint; and

the lifting means is disposed outside the shelf footprint.

Claim 73 (Withdrawn): The retail merchandising apparatus of claim 72 wherein the shelf is cantilevered.

Claim 74 (Previously amended): The retail merchandising apparatus of claim 1 wherein:

the pallet support means has a substantially planar shelf having a plurality of sides, the plurality of sides each having an outermost edge together co-operating to define a shelf footprint; and

the lifting means is disposed substantially within the shelf footprint.

Claim 75 (Previously amended): The retail merchandising apparatus of claim 74 wherein:

the housing includes a base connected to the housing walls, the base being positionable on a floor;

the lifting means is a scissors lift; and

the underside of the shelf is operatively mounted on the scissors lift.

Claim 76 (Original): The retail merchandising apparatus of claim 75 wherein the scissors lift has a mechanism chosen from the group consisting of: (a) a double scissors mechanism; and (b) a tandem scissors mechanism.

Claim 77 (Original): The retail merchandising apparatus of claim 75 wherein the scissors lift is hydraulically driven.

Claim 78 (Original): The retail merchandising apparatus of claim 75 wherein the scissors lift is pneumatically driven.

Claim 79 (Previously amended): The retail merchandising apparatus of claim 74 wherein:

the shelf has four sides; and

the pallet support means further includes a raised skirt member for partially surrounding a loaded pallet placed on the shelf; the skirt member extending peripherally about each outermost edge of three contiguous sides of the shelf, the outermost edge of a remaining side being free of obstruction to thereby facilitate placement of the loaded pallet onto the shelf.

Claim 80 (Previously amended): The retail merchandising apparatus of claim 79 wherein one of the housing walls includes an inlet door hinged for movement between an open position and a closed position; in the open position, the inlet door providing access to the outermost edge of the remaining side.

Claim 81 (Original): The retail merchandising apparatus of claim 80 further including ramp means associated with the shelf for facilitating rolling transport of the loaded pallet onto the shelf.

Claim 82 (Previously amended): The retail merchandising apparatus of claim 81 wherein the ramp means includes a bevelled lip attached to, and projecting from, the outermost edge of the remaining side.

Claim 83 (Original): The retail merchandising apparatus of claim 1 further comprising control means associated with the housing for selectively actuating the lifting means.

Claim 84 (Original): The retail merchandising apparatus of claim 1 wherein movement of the pallet support means is constrained by any one of: (a) an upper displacement limit; (b) a lower displacement limit; and (c) a maximum load limit.

Claim 85 (Original): The retail merchandising apparatus of claim 1 wherein the housing includes a base joined to each of the housing walls, the base having feet mounted to the underside thereof for supporting the housing at a selected height above the floor.

Claim 86 (Original): The retail merchandising apparatus of claim 85 wherein the feet are self-levelling to accommodate for unevenness in the floor.

Claim 87 (Previously amended): The retail merchandising apparatus of claim 1 wherein the display means includes at least one display panel mounted

substantially adjacent to the outwardly directed housing face of at least one of the plurality of upstanding housing walls, the at least one display panel being carried at a height above the top of the housing.

**Claim 88 (Previously amended):** Use of the retail merchandising apparatus of claim 1 as an end-of-aisle display unit, wherein the use of the apparatus comprises the steps of:

a positioning step wherein the apparatus is positioned at an end of an aisle; and

a display step wherein the promotional message of the apparatus is displayed from the at least one outwardly directed housing face of the apparatus within view of the customer.

**Claim 89 (Previously amended):** Use of the retail merchandising apparatus of claim 1 as a mid-aisle display unit, wherein the use of the apparatus comprises the steps of:

a positioning step wherein the apparatus is positioned mid-aisle; and

a display step wherein the promotional message of the apparatus is displayed from the at least one outwardly directed housing face of the apparatus within view of the customer.

**Claim 90 (Previously amended):** Use of the retail merchandising apparatus of claim 1 as a shelf-mounted display unit, wherein the use of the apparatus comprises the steps of:

a positioning step wherein the apparatus is mounted on a shelf; and

a display step wherein the promotional message of the apparatus is displayed from the at least one outwardly directed housing face of the apparatus within view of the customer.

Claim 91 (Previously amended): A retail merchandising apparatus for use with a pallet stackable with merchandise items arranged in multiple layers thereon to form a loaded pallet, the retail merchandising apparatus comprising:

pallet support means for bearing the loaded pallet;

lifting means operatively connected to the pallet support means for moving the pallet support means between a lowered position and a raised position relative to a floor;

an open-topped housing accommodating the pallet support means and the lifting means mounted therein, the housing having a plurality of upstanding housing walls surrounding the periphery of the pallet support means, with each of the housing walls having an inwardly directed housing face and an outwardly directed housing face; and

display means associated with the housing for placing a promotional message on at least one outwardly directed housing face within view of a customer;

wherein when bearing a loaded pallet, the pallet support means is positionable within the housing such that a portion of the merchandise items carried on the loaded pallet protrudes at least partially from the top of the housing within view of a customer, whilst the pallet and the pallet support means remain substantially concealed from the customer's view by the housing walls.

Claim 92 (Withdrawn – Currently amended): A method of using of the retail merchandising apparatus of claim 1 for merchandising a pallet for retail use, the pallet being stackable with merchandise items arranged in multiple layers thereon to form a loaded pallet, the method comprising the steps of:

placing the loaded pallet on the pallet support means of the apparatus contained within a housing, the housing having a plurality of upstanding walls, each having an inwardly directed housing face and an outwardly directed housing face;

moving the pallet support means between ~~a-~~ the lowered position and ~~a~~ the raised position ~~relative to a floor~~ such that a portion of the merchandise items carried on the loaded pallet protrudes from the top of the housing within view of a customer; and

displaying from the housing ~~a-~~ the promotional message on at least one outwardly directed housing face within view of the customer.

Claim 93 (Withdrawn): The pallet merchandising method of claim 92 wherein the step of placing the loaded pallet includes selectively moving the pallet support means to the lowered position to facilitate placement of the loaded pallet in the housing.

Claim 94 (Withdrawn): The pallet merchandising method of claim 93 wherein the step of placing the loaded pallet further includes moving an inlet door provided on the housing to an open position to thereby permit access to the pallet support means.

Claim 95 (Withdrawn): The pallet merchandising method of claim 94 wherein the step of placing the loaded pallet further includes deploying ramp means mounted within the housing to facilitate rolling transport of the loaded pallet onto the pallet support means.

Claim 96 (Withdrawn): The pallet merchandising method of claim 95 wherein the step of placing the loaded pallet further includes depositing the loaded pallet onto the pallet support means within a footprint defined thereon.

Claim 97 (Withdrawn): The pallet merchandising method of claim 96 further including the step of moving the inlet door to a closed position after the loaded pallet has been placed on the pallet support means.

Claim 98 (Withdrawn): The pallet merchandising method of claim 97 wherein the step of moving the inlet door to a closed position further includes securing the inlet door in the closed position.

Claim 99 (Withdrawn): The pallet merchandising method of claim 95 wherein the step of deploying ramp means includes selectively extending a ramp member to an in-use position.

Claim 100 (Withdrawn): The pallet merchandising method of claim 99 further including the steps of:

selectively retracting the ramp to an out-of-use position after the loaded pallet has been placed on the pallet support means; and  
moving the inlet door to a closed position.

Claim 101 (Withdrawn): The pallet merchandising method of claim 100 wherein the step of moving the inlet door to a closed position further includes securing the inlet door in the closed position.

Claim 102 (Withdrawn – Previously amended): The pallet merchandising method of claim 92 wherein the step of moving the pallet support means includes the step of actuating lifting means operatively connected to the pallet support means to cause vertical displacement of the pallet support means within the housing.

Claim 103 (Withdrawn): The pallet merchandising method of claim 102 wherein:  
the lifting means includes mechanical drive means having a threaded screw member mounted vertically within a compartment formed within the housing, a nut member connected to the pallet support means for threadingly engaging the screw member, and an electric motor operatively connected to the screw member for rotatively driving the screw member; and  
the step of actuating the lifting means includes rotatively driving the screw member with the electric motor to urge the nut member to ride along the screw member to thereby cause the pallet support member to be moved between the lowered position and the raised position.

Claim 104 (Withdrawn): The pallet merchandising method of claim 92 further including the step of concealing from the customers view the pallet and the pallet support means within the housing.

Claim 105 (Withdrawn – Previously amended): The pallet merchandising method of claim 92 wherein:

the promotional message is embodied in a printed medium; and  
the step of displaying a promotional message includes:

attaching a display panel to the at least one outwardly directed housing face; and

mounting the printed medium in a station defined within the display panel.

Claim 106 (Withdrawn – Previously amended): The pallet merchandising method of claim 92 wherein the step of displaying a promotional message includes placing a promotional message on the at least one outwardly directed housing face.

Claim 107 (Withdrawn): The pallet merchandising method of claim 102 wherein the step of actuating the lifting means includes a passively automated step of allowing a mechanical spring system to automatically move the pallet support means between the lowered position and the raised position.

Claim 108 (Withdrawn): The pallet merchandising method of claim 107 wherein, in the passively automated step, the mechanical spring system automatically moves the pallet support means between the lowered position and the raised position to maintain a constant display height of the merchandise items.

Claim 109 (Previously added): The retail merchandising apparatus of claim 75 wherein the scissors lift is driven by a mechanical spring system.

Claim 110 (Previously added): The retail merchandising apparatus of claim 109 wherein the mechanical spring system is adapted to automatically move the pallet support means between the lowered position and the raised position to maintain a constant display height of the merchandise items.